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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/523,789	03/13/2000	Karim Asani	99951.1	6310

7590   01/14/2003

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EXAMINER
WASYLCHAK, STEVEN R

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 01/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application N.		Applicant(s)	
Office Action Summary	09/523,789		ASANI, KARIM	
	Examiner		**Art Unit**	
	Steven R. Wasylchak		3624	

-- The MAILING DATE f this c mmunication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *10/23/02* .

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-12* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-12* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)		4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .	
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)		5) ☐ Notice of Informal Patent Application (PTO-152)	
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .		6) ☐ Other: .	

DETAILED ACTION

Response to Amendment

1.   Examiner has reviewed Applicant's arguments and has respectfully found them

to be unpersuasive. Examiner contends that the invention has not severed the

disclosure of personal financial information from the transactions by Applicant's own

admission in claim one: a nexus is created by using the words "executing" and "in": "A

data processing system for *executing* an e-financial transaction *in* an account...." The

account is presumably not perpetually dormant; it is presumably not a "dummy"

account; it is presumably to be updated or checked for balances or closed out by

transactions. Examiner respectfully holds that Kolling maintains the nexus as does

Applicant's claim one.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public
>
> use or on sale in this country, more than one year prior to the date of application for patent in the United
>
> States.

3.   Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kolling

et al (US 5,920,847).

As per claim 1,

A data processing system for executing an e-financial transaction in an account having

at least one customer specified secure parameter, comprising:

-a central controller including a CPU and a memory operatively connected

to said CPU;/ col 2, L 54 to col 3, L4

-at least one terminal, adapted for communicating with said central controller, by

transmitting the secure parameter to said central controller; / col 2, L 54 to col 3, L

4(inherently an ATM has a terminal and one uses an id as a secure parameter and a

bank account number is also a secure parameter and "sent" on line 61 is equivalent to

transmit)

-said memory in said central controller containing a program, adapted to be executed by

said CPU, for executing e-financial transactions for the secure parameter, wherein the

secure parameter is a password or code / col 2, L 54 to col 3, L 4(inherently an ATM

has a terminal and one uses an id as a secure parameter and a bank account number is

also a secure parameter or code); col 11, L 34-49; col 12, L 60 to col 13, L 9; col 24, L

66 to col 25, L 12

wherein said central controller receives the secure parameter from said terminal and

executes the e-financial transaction for the account based upon the secure parameter,

without requiring access to personal financial, banking, or credit card information./ col

2, L 54 to col 3, L 4(inherently an ATM has a terminal and one uses an id as a secure

parameter and a bank account number is also a secure parameter or code); col 12, L

29-47

As per claim 2,

 The system according to claim 1, wherein the terminal comprises an input/output

device, wherein the terminal is further adapted to transmit customer information to said

controller, and said program in said memory executes the financial transaction in the

account having the secure parameter based upon the customer information./ abstract;

col 11, L 14-46, col 12, L 20-28(input/output)

As per claim 3,

The system according to claim 2, wherein the customer information comprises an

account identifier that specifies a pre-existing bank account, and said secure parameter

comprises a password./ col 11, L 14-33; col 12, L 20-27(inherently the ATM uses a

password)

As per claim 4,

The system according to claim 1, wherein said program in said memory is adapted to

receive a customer acceptance via said terminal to enter into an account having the

secure parameter and charge the customer the calculated amount of funds by debiting

the customer's account and transferring the funds to a bank account

specified by the customer./ col 2, L 54-67; col 9, L 53-57; col 12, L 14-31

As per claim 5,

The system according to claim 2, wherein the input/output device comprises an

electronic vault, a microcomputer chip or a smart card./ col 11, L 46-49 (inherently an

ATM is equivalent to an electronic vault); col 11, L 46-49; col 12, L 24-

28(microcomputer chip exists in the PDA)

As per claim 6,

The system according to claim 3, wherein the password is transferred using an

encryption technology./ col 15, L 36-46; fig 5; col 17, L 57 to col 18, L 22

As per claim 7,

A method of executing an e-financial transaction having at least one customer specified

secure parameter using a central controller including a CPU and a memory operatively

connected to said CPU and containing a program adapted to be executed by said CPU

for calculating the amount of funds, and a terminal adapted for communicating with said

central controller, the method comprising the steps of:

-transferring a specified amount of funds to the central controller through an electronic

fund transfer or cash, receiving an input/output device and a secure password from the

central controller, executing the e-financial transaction by; inputting the secure

password and bank information to the central controller via the terminal;

processing a program to execute the e-financial transaction transmitted by the secure

password, the amount of funds having the password security; and outputting the

calculated funds from the controller to a bank account specified by the customer./ col 2,

L 54 to col 3, L 4(inherently an ATM has a terminal, CPU to calculate amount of funds

and one uses an id as a secure parameter and a bank account number is also a secure

parameter and "sent" on line 61 is equivalent to transmit)

col 11, L 34-49; col 12, L 60 to col 13, L 9; col 24, L 66 to col 25, L 12;

col 12, L 29-47; abstract; col 11, L 14-46, col 12, L 20-28(input/output);

col 11, L 14-33; col 12, L 20-27(inherently the ATM uses a password)

As per claim 8,

The method according to claim 7, further comprising the step of inputting customer

information to the controller via the terminal, and wherein the step processing the

program further comprises calculating the amount of funds based on the customer

information./ col 11, L 14-25, 50-56

As per claim 9,

The method according to claim 7, wherein the step of inputting the customer

information further comprises inputting an account identifier that specifies a preexisting

bank account./ col 11, L 14-33; col 12, L 20-27

As per claim 10,

A data processing system for executing an e-financial transaction having at least one

customer specified secret password, comprising:

- a CPU; a memory operatively connected to said CPU,

said memory containing a program, adapted to be executed by said CPU, for receiving

the secret parameter and calculating the amount of funds having the secret password;

and input/output device, operatively connected to at least one of said memory and said

CPU, for input of the secret password ad for output of the funds./ col 2, L 54 to col 3, L

4(inherently an ATM has a terminal, CPU to calculate amount of funds and one uses an

id as a secure parameter and a bank account number is also a secure parameter and

"sent" on line 61 is equivalent to transmit)

col 11, L 34-49; col 12, L 60 to col 13, L 9; col 24, L 66 to col 25, L 12;

col 12, L 29-47; abstract; col 11, L 14-46, col 12, L 20-28(input/output);

col 11, L 14-33; col 12, L 20-27(inherently the ATM uses a password);

col 11, L 50-56

As per claim 11,

 A method of executing an e-financial transaction having at least one customer specified

secret password using a CPU and a memory operatively connected to said CPU and

containing a program, adapted to be executed by said CPU, for calculating a price, the

method comprising the steps of:

-receiving the secret password; executing the program in the CPU for calculating;

the amount of funds having the secret password; and outputting the funds. / col 2, L 54

to col 3, L 4(inherently an ATM has a terminal, CPU to calculate funds and one uses an

id as a secret password; col 11, L 34-49; col 12, L 60 to col 13, L 9; col 24, L 66 to col

25, L 12;col 12, L 29-47;abstract; col 11, L 14-46, col 12, L 20-28(input/output)

col 11, L 14-33; col 12, L 20-27; col 11, L 50-56

As per claim 12,

 Computer executable process steps, stored on a computer readable medium, for

executing an e-financial transaction having at least one customer specified secret

password, comprising:

-a step to receive the secret password; a step to calculate the amount of funds having

the password;/ col 2, L 54 to col 3, L 4(inherently an ATM has a terminal, CPU to

calculate funds and one uses an id as a secret password; col 11, L 34-49; col 12, L 60

to col 13, L 9; col 24, L 66 to col 25, L 12; col 12, L 29-47; abstract; col 11, L 14-46

-and a step to output the funds./ col 12, L 24-28

This action is FINAL. Any inquiry concerning this communication or earlier

communications from the examiner should be directed to Steven R. Wasylchak whose
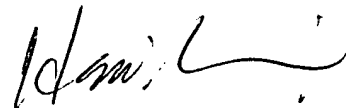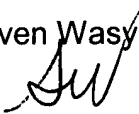
telephone number is (703) 308-2848.   The examiner can normally be reached on

Monday-Thursday from 8:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art

Unit 3624 is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is

(703) 308-1113.

Steven Wasylchak   1/ 10 /03

HANI M. KAZIMI
PRIMARY EXAMINER